

**Notice of Allowability**

Application No.

10/038,172

Applicant(s)

HSU ET AL.

Examiner

Art Unit

Stephen J. Stein

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Applicants' Amendment filed August 1, 2005.
2.  The allowed claim(s) is/are 1-6, 19 and 20.
3.  The drawings filed on 01 August 2005 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a)  including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached  
    1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.  
(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
    Paper No./Mail Date \_\_\_\_\_.
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
    Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
    of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
    Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
**STEPHEN STEIN**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Drawings***

1. The replacement drawings were received on August 1, 2005. These drawings are approved.

### ***Allowable Subject Matter***

2. Claim 1-6, 19 and 20 are allowed over the prior art of record.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance is applicant's amendment which added the limitation to independent claim 1, "an oxide layer deposited upon the carrier substrate so as to fill any gaps between each of the at least two substrates and the pocket." The limitation overcame the rejection over the Jacobsen reference. Jacobsen teaches a donor substrate having a plurality of blocks comprising functional components (substrates) transferred and bonded into recessed regions (patterned pockets) on a to a carrier substrate by fluidic self-assembly. In the Jacobsen reference, the blocks protrude above the surface of the donor substrate (See figure 7B). The amendment to the claims overcame the rejection, because although there is a planarization step disclosed in Jacobsen (See Figure 8G), this occurs after the functional components have been transferred from the donor substrate to the receiving (carrier) substrate and are no longer protruding above the surface of the substrate. Consequently, the prior art fails to teach or suggest the all the limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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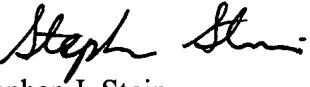
fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Stein whose telephone number is 571-272-1544. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m. If the attempts to reach the examiner are unsuccessful, the examiner's supervisor, Deborah Jones can be reached by dialing 571-272-1535. The official fax number is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 22, 2005

  
Stephen J. Stein  
Primary Examiner  
Art Unit 1775